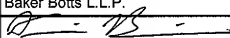


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TRANSMITTAL FORM	Application Number	10/622,272	
	Filing Date	07/17/2003	
	First Named Inventor	Modak et al.	
	Art Unit	1614	
	Examiner Name	ANDERSON, JAMES D.	
(to be used for all correspondence after initial filing)		Attorney Docket Number	070050.2429
Total Number of Pages in This Submission			

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Baker Botts L.L.P.	
Signature		
Printed name	Dennis M. Bissonnette	
Date	01/28/2010	Reg. No. 61,910

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2007

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number 10/622,272
Filing Date 07/17/2003
First Named Inventor Modak et al.
Examiner Name ANDERSON, JAMES D.
Art Unit 1614
Attorney Docket No. 070050.2429

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

02-4377

Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

Extra Claim Fees

	Extra Claims	Fee	Fee Paid
Total Claims	<input type="text"/>	26	\$0
Independent Claims	<input type="text"/>	110	\$0
Multiple Dependent	<input type="text"/>		\$0

SUBTOTAL \$0

Fee Description	Large Entity	Small Entity
Claims in excess of 20	52	26
Independent claims in excess of 3	220	110
Multiple dependent claim, if not paid	390	195

FEE CALCULATION (continued)

ADDITIONAL FEES

<input type="checkbox"/> Surcharge - late oath or filing fee	<input type="text"/>
<input type="checkbox"/> Non-English Specification	<input type="text"/>
<input type="checkbox"/> Extension for reply within first month	<input type="text"/>
<input type="checkbox"/> Extension for reply within second month	<input type="text"/>
<input type="checkbox"/> Extension for reply within third month	<input type="text"/>
<input type="checkbox"/> Extension for reply within fourth month	<input type="text"/>
<input type="checkbox"/> Extension for reply within fifth month	<input type="text"/>
<input type="checkbox"/> Notice of Appeal	<input type="text"/>
<input type="checkbox"/> Filing a brief in support of an appeal	<input type="text"/>
<input type="checkbox"/> Petition to revive - unavoidable	<input type="text"/>
<input type="checkbox"/> Petition to revive - unintentional	<input type="text"/>
<input type="checkbox"/> Utility Issue Fee	<input type="text"/>
<input type="checkbox"/> Design Issue Fee	<input type="text"/>
<input type="checkbox"/> Publication Fee	<input type="text"/>
<input type="checkbox"/> Petitions to the Commissioner	<input type="text"/>
<input type="checkbox"/> Request for Continued Examination (RCE)	<input type="text"/>
<input checked="" type="checkbox"/> Information Disclosure Statement (IDS)	\$180
Other fee -	<input type="text"/>

SUBTOTAL (\$) 180

SUBMITTED BY

Name (Print/Type) Dennis M. Bissonnette

Registration No. (Attorney/Agent)

61,910

(Complete if applicable)

Telephone 212-408-2500

Signature

Date 01/28/2010

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Modak et al. Examiner : ANDERSON, JAMES D.
Serial No. : 10/622,272 Confirmation No. : 4202
Filed : 07/17/2003 Group Art Unit : 1614
For : ZINC SALT COMPOSITIONS FOR THE PREVENTION OF
DERMAL AND MUCOSAL IRRITATION

INFORMATION DISCLOSURE STATEMENT

Electronically Filed VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-identified application. In compliance with 37 C.F.R. §1.56, such documents are listed on the enclosed Form PTO-1449.

This Information Disclosure Statement is submitted according to the following selected paragraph(s):

- ☐ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b) (1) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d); (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.
- ☒ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(c) prior to either a final action or a notice of allowance. Payment for the fee required by 37 C.F.R. §1.17(p) is hereby authorized to be charged to Deposit Account No. 02-4377.

- ☐ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(c), with a statement under, 37 C.F.R. §1.97(e) prior to either a final action or a notice of allowance. The undersigned hereby states that (check one):
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
 - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- ☐ This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(d), with a statement under 37 C.F.R. §1.97(e), after a final action or a notice of allowance but prior to payment of the issue fee. Payment for the fee required by 37 C.F.R. §1.17(p) is hereby authorized to be charged to Deposit Account No. 02-4377. The undersigned hereby petitions that this Information Disclosure Statement be considered prior to issuance of the patent. The undersigned hereby states that (check one):
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
 - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ The references listed on the accompanying PTO-1449 were either cited by the Examiner or previously submitted in parent application U.S. Serial No. _____, filed _____. Pursuant to 37 C.F.R. § 1.98(d), the references are not required if the earlier application is identified and relied upon for an effective filing date under 35 U.S.C. § 120 and therefore are not enclosed herewith.

Co-Pending Application Disclosure

- ☒ Applicants would like to bring to the attention of the Examiner the following co-pending patent applications, which are also listed on the accompanying PTO-1449:

Serial No.	Filing Date
11/446347	02-Jun-2006
10/892034	15-Jul-2004
11/327677	06-Jan-2006
10/891624	15-Jul-2004
08/492080	28-Jun-1995
08/760054	04-Dec-1996
08/871071	09-Jun-1997
09/387550	31-Aug-1999
10/785207	24-Feb-2004
10/786681	25-Feb-2004
08/218666	28-Mar-1994

Disclosure of Office Actions and Responses in Co-Pending Applications

- ☒ Applicants would like to bring to the attention of the Examiner the following Office Actions issued in co-pending patent applications and Responses to Office Actions filed in such applications, which are also listed on the accompanying PTO-1449:

Serial No.	Date of Office Action or Response
11/446347	09/01/2009 Non-Final Office Action
10/892034	10/09/2009 Final Office Action
11/327677	08/27/2009 Response to Non-Final Office Action
11/327677	11/02/2009 Notice of Allowance
10/891624	11/04/2009 Response to Non-final Office Action
10/785207	11/02/2009 Response to Non-Final Office Action
10/786681	08/27/2009 Response to Non-Final Office Action
10/786681	11/24/2009 Final Office Action
08/492080	09/13/1996 Non-Final Office Action
08/492080	01/13/1997 Response to Non-Final Office Action
08/492080	04/19/1997 Final Office Action
08/492080	07/09/1997 Response to Final Office Action
08/492080	08/05/1997 Examiner Interview Summary Record
08/492080	08/06/1997 Notice of Allowance
08/760054	03/28/1997 Non-Final Office Action
08/760054	07/28/1997 Response to Non-Final Office Action
08/760054	11/19/1997 Final Office Action
08/760054	04/17/1998 Notice of Appeal Filed
08/760054	04/17/1998 Amendment/Argument after Notice of Appeal
08/760054	05/15/1998 Advisory Action
08/760054	08/17/1998 Express Abandonment
08/760054	08/17/1998 Continuing Prosecution Application - Continuation (ACPA)
08/760054	11/24/1998 Non-Final Office Action
08/760054	03/17/1999 Response to Non-Final Office Action
08/760054	06/18/1999 Examiner's Amendment
08/760054	06/21/1999 Notice of Allowance
08/871071	05/08/1998 Non-Final Office Action

08/871071	11/09/1998 Response to Non-Final Office Action
08/871071	12/09/1998 Terminal Disclaimer Approved
08/871071	12/16/1998 Non-Final Office Action
08/871071	03/19/1999 Response to Non-Final Office Action
08/871071	04/16/1999 Notice of Allowance
09/387550	11/09/1999 Notice of Allowance
09/387550	11/04/2005 Certificate of Correction
09/387550	11/22/2005 Certificate of Correction
08/218666	03/03/1995 Non-Final Office Action
08/218666	09/07/1995 Response to Non-Final Office Action
08/218666	12/18/1995 Final Office Action

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Applicants believe no additional fee is due in connection with this submission. However, if any additional fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment to our Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.



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January 28, 2010
Date
